IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

Tr.P(C).No. 264 of 2006()

OP.75/2006 of FAMILY COURT, WAYANAD

.....

: PETITIONER

USHA, W/O.BABU,
AGED 33 YEARS, PENNA VEETTIL,
POOVANCHAL, HOLY,
P.O., KOOTTAPARAMBU,
ALAKKODE VIA., KANNUR DISTRICT.

BY ADV. SRI.B.PREMNATH (E)

RESPONDENT:

BABU,
S/O.GOVINDAN,
AGED 39 YEARS, DAILY WAGER,
PENNA VEETTIL, P.O., VELLAMUNDA,
WAYANAD DISTRICT.

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Order on I.A.3110/06 in Tr.P(C) No.264/06

19.12.06 Dismissed Sd/- M.Sasidharan Nambiar,
Judge

/true copy/

P.S. To Judge

M.Sasidharan Nambiar,J.

Tr.P.(C) No.264 of 2006

Dated this the 19th day of December,2006

O.R.D.E.R

Petitioner is the wife. Respondent is the husband. Petitioner filed M.C.354/06 before Family Court, Kannur claiming maintenance from respondent. Respondent filed O.P.75/06 before Family Court, Wayanad for restitution of conjugal rights. This petition is filed by the wife to transfer O.P.75/06 from Family Court, Wayanad to Family Court, Kannur contending that she is residing at Kannur and She has two minor children and it is not possible for her to travel to Wayanad and contest the case.

3. Though notice was sent to respondent and notice was also served on the counsel appearing for respondent before the Family Court, respondent did not appear or object to the transfer.

4. As the maintenance case filed by petitioner is pending before Family Court, Kannur and she is residing at Kannur, this petition is allowed.

O.P.75/06 on the file of Family Court, Wayanad is withdrawn and transferred to Family Court, Kannur for disposal in accordance with law.

M.Sasidharan Nambiar
Judge

tpl/-

M.SASIDHARAN NAMBIAR, J.

CRL.R.P.NO. /97

ORDER

MARCH,2006